



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड IV]

शिमला, शनिवार, 3 मार्च, 1956

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भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिश्नरज कोर्ट द्वारा अधिसूचनाएं इत्यादि

HIMACHAL PRADESH GOVERNMENT
Home, Gazette & Transport Department

Law Department

NOTIFICATION

Simla-4, the 28th February, 1956

No. HGT- 102-111/55.—The Lieut.-Governor, Himachal Pradesh, is pleased to authorise Shri D. E. Rowe, Automobile Engineer, to act as Regional Manager, Solan-Sanjauli Region, in addition to his own duties vice Shri P. D. Abrol, since granted leave for one month.

By order,
K. N. CHANNA,
Secretary (Transport).

NOTIFICATION

Simla-4, the 20th February, 1956

No: LR-1-2/55.—In exercise of the powers conferred by section 50 of the Special Marriage Act, 1954 (Central Act, 43 of 1954) the Lieut.-Governor, Himachal Pradesh, is hereby pleased to make the following Rules:—

- (1) These rules may be called the Himachal Pradesh Special Marriage Rules, 1955.
- (2) They extend to the whole of the State of Himachal Pradesh.

(3) They shall come into force at once.

2. In these rules:—

(a) "The Act" means the Special Marriage Act, 1954.

(b) "Form" means form appended to these rules.

(c) "Section" means section of the Act.

3. Every Marriage Officer shall cause his name, designation and the regular working hours of his office to be written in English and in Hindi and displayed in a conspicuous part of the building in which his office is situated.

4. (a) Notice of any intended marriage under the Act shall be given in writing in the form specified in the second schedule to the Act, to the Marriage Officer by both the parties intending to enter into the marriage, either in person or by registered post.

(b) Where the notice is delivered in person, the fee prescribed therefor in rule 10 shall be paid direct in cash to the Marriage Officer. When the notice is sent by registered post, the fee shall be remitted by money order at the remitter's expense and the receipts issued to the remitter by the Post Office through which the remittance is made shall be attached to the notice.

(c) As soon as the notice has been received by the Marriage Officer, a distinctive serial number shall be entered on it and such number and the date of receipt of the notice shall be attested by the signature of the Marriage Officer. If the notice is in conformity with the requirements of the Act, it shall be entered in the marriage Notice Book which shall be a bound volume, the pages of which are machine-numbered consecutively with a nominal index attached. If the notice is not in conformity with the requirements of the Act, it shall be got rectified by the parties if they are present or returned to them by post for rectification and re-transmission within a date to be fixed. Every item of rectification shall be attested by both the parties.

5. A true copy of the notice under the seal and signature of the Marriage Officer shall be exhibited in a conspicuous place in his office.

6. (a) Where an objection to the solemnisation of an intended marriage together with the fee prescribed therefor in rule 10 has been received and recorded by the Marriage Officer, he shall, unless by an order in writing he regrets the objection summarily on the ground that the objection is not based on contravention of any of the conditions specified in section 4, enquire into the objection on a day to be fixed by him. The day so fixed shall not be later than thirty days from the date of the objection.

(b) The Marriage Officer shall, at the time of recording the objection, ascertain from the objector whether he has any documents on which he relies or whether he desires any witness or witnesses to be examined on his behalf. If the objector states that he has, the Marriage Officer shall require the objector to produce the documents or the witnesses on the day fixed for the enquiry. If the objector desires that the summons shall be issued to the witnesses to appear and give evidence or to produce any documents, the Marriage Officer shall issue such summons to the witnesses cited on payment of process fee prescribed therefor in rule 10, and the reasonable expenses of travelling and subsistence of the witnesses. The enquiry relating to the objection including the production of documents and the examination of witnesses shall be completed and the decision of the Marriage Officer arrived at within the period of thirty days specified in section 8. If, within the prescribed period, the documents are not produced and the witnesses do not appear before the Marriage Officer, the Marriage Officer shall take a decision without waiting for the production of such documents or the appearance of such witnesses.

(c) The Marriage Officer shall also give notice of the date and time fixed for the enquiry to the parties to the intended marriage.

(d) The notice or summons to any party or witness under this rule shall be in Form I or Form II, as the case may be, and shall be sent by registered post.

(e) On the date fixed for the enquiry or any adjourned date, the Marriage Officer shall record in his own hand the evidence given in the course of the enquiry, his decision on the objection and the reasons therefor.

7. (a) An application under section 16 for the registration of a marriage celebrated in other forms shall be in Form III.

(b) Such application shall be presented to the Marriage Officer by any one of the parties in person or sent to him by registered post.

(c) Notice of the application under sub-rule (a) shall be given by the Marriage Officer by exhibiting a true copy thereof under his seal and signature in a conspicuous place in his office. The notice shall also state that objections, if any, to the registration of the marriage should be preferred by the objector in person orally or in writing to the Marriage Officer within thirty days from the date on which the notice is exhibited.

(d) Any objection received within the said period together with the fee prescribed therefor in rule 10, shall be recorded and the enquiry in respect thereto made, as early as possible, in the manner prescribed in rule 6.

8 The Marriage Officer may, on application by both the parties to the marriage, solemnise the same at any place at a reasonable distance from this office, provided the additional fee prescribed therefor in Rule 10 is paid and the hour is not unreasonable.

9. The marriage certificate book shall be a bound volume, the pages of which are machine-numbered consecutively with a nominal index attached. Every marriage certificate entered therein during each calendar year shall be consecutively numbered and every authenticated copy of a certificate issued to the parties shall bear this number and date, month and the year in which the certificate was entered.

10. The following fees shall be levied by the Marriage Officer :—

	Rs. A. P.
(i) for every notice of intended marriage or application for the registration of marriage (to be paid by the parties to the marriage) ...	3 0 0
(ii) for recording an objection (to be paid by the objector) ...	2 0 0
(iii) for every enquiry into an objection (to be paid by the objector) ...	50 0 0
(iv) for every notice and for every summons to the witness to appear and give evidence or produce a document (to be paid by the objector) ...	0 8 0
(v) for solemnising or registering a marriage (to be paid by the parties to marriage) ...	10 0 0
(vi) for a certified copy of an entry :—	
(a) in the marriage Notice Book other than an entry relating to an objection ; or	
(b) in the marriage Certificate Book (to be paid by the applicant) ...	2 0 0
(vii) for a certified copy of an entry in the marriage Notice Book other than a notice or of any other proceeding not already provided for (to be paid by the applicant). ...	2 0 0
(viii) for solemnising a marriage at any place outside the office of the Marriage Officer, in addition to the fee in entry (v) (to be paid by the parties to the marriage) ...	15 0 0

Note :—No travelling allowance shall be claimed in addition.

(ix) for making a search (to be paid by the applicant)— R. A. P.

(a) if the entry is of the current year ... 0 8 0

(b) if the entry related to any previous year or years ... 1 0 0

(for each such year)

The fees prescribed above shall be paid either in person or remitted by money order to the Marriage Officer in advance.

A receipt duly signed by the Marriage Officer shall be issued for all fees received by him under the Act and Rules. The receipt books shall be bound volumes one hundred leaves each with foils and counter foils which shall be machine-numbered consecutively. All moneys received by the Marriage Officer shall be credited to Government.

11. Copies of entries in the Marriage Certificate Book which Marriage Officers are required to send under section 48 to the Registrar General of Births, Deaths and Marriages shall be certified in Form IV and shall be sent at intervals of three months on or as nearly as possible after the 1st January, April, July and October in each year should no entries have been made in the Book during the proceeding three months, a certificate to this effect shall be sent to the said Registrar-General.

FORM I

[See rule 6 (d)]

NOTICE

Before the Marriage Officer _____
(place)

In the matter of the Special Marriage Act,
1954.

and

In the matter of the intended marriage between/application to register the marriage between.

A B }
and } (Give names and addresses)
C D }

E F Objector .

To _____

WHEREAS notice of an intended marriage/ an application for the registration of the marriage, between A B and C D was received by the Marriage Officer on _____; whereas E F has preferred certain objections (set out over-leaf) to the Solemnisation/Registration of the marriage ; whereas the Marriage Officer will hold an enquiry into the matter of the said objections on _____ day of _____ 19 _____ at his

office, you are hereby required to be present at a m./p.m. on the said day together with all documents on which you rely and any witness or witnesses whom you may desire to be examined on your behalf.

Take notice that in default of your appearance on the aforesaid day, the inquiry will be made and decided in your absence.

Should you apprehend that your witness will not attend unless summons by the Marriage Officer, you should apply to the Marriage Officer for the issue of such summons sufficiently early together with prescribed process fee and the reasonable expenses of travelling and subsistence of the witness.

Given under my hand and seal. } Set out the objection on the reverse of this notice.

Station _____

Date _____ Seal _____ Signature _____
Marriage Officer.

FORM II

[See Rule 6 (d)]

SUMMONS TO WITNESS

Before the Marriage Officer _____
(place)

In the matter of the Special Marriage Act, 1954.

and

In the matter of the intended marriage between/application to register the marriage between.

A B }
and } Give names and addresses
C D }

E F Objector

To _____

Whereas your attendance is required to give evidence on behalf of _____ in the above matter, you are hereby required to appear personally before me or to cause to be produced before me the document specified hereunder on the _____ day of _____ 19 at a.m./p.m. A sum of Rs. _____ being your travelling and other expenses for one day is herewith sent.

If you fail to comply with this summons without lawful excuse, you will be subject to the consequences of non-attendance laid down in rule 12 of order XVI of the Code of Civil Procedure, 1908.

Take notice that, in default of your appearance on the aforesaid day, the inquiry will be made and decided in your absence.

Given under my hand and seal.

Station _____

Date _____

Seal _____

Marriage Officer.

FORM III

[See Rule 7 (a)]

Application for Registration of a Marriage under section 15 of the Act.

1. Name of parties. (A B (Husband)
(C D) (Wife)

2. Age or date of birth. (husband)
(wife)

3. Permanent dwelling place, if any

4 Present dwelling place

5. Relationship, if any, of parties before marriage.

6. A ceremony of marriage was performed between A B and C D on _____ at _____ and we declare that we have been living together as husband and wife ever since the date noted above.

We hereby declare that:—

(i) a ceremony of marriage was performed between us on _____ at _____ place and we have been living together as husband and wife ever since;

(ii) neither of us has more than one spouse living on the date mentioned in this application;

(iii) neither of us, is an idiot or a lunatic;

(iv) Both of us have completed the age of twenty-one years on the date of this application;

(v) We are not within the degrees of prohibited relationship/our marriage was celebrated before the commencement of the Special Marriage Act, 1954 (Central Act 43 of 1954) and according to the Law, custom or usage having the force of Law, governing each of us, a marriage between us is permitted though we are within the degrees of prohibited relationship according to the Act aforesaid.

Note:— Score out whichever is not applicable.

(vi) We have been residing within the jurisdiction of _____ the Marriage Officer at _____ for a period of not less than thirty days immediately preceding the date of this application.

We also declare that all the above particulars are true to the best of our knowledge and belief.

Station -----
Date ----- Signature.

FORM IV

(See rule II)

FORM OF CERTIFICATE

Certified that the above entries from the Marriage Certificate Book in this office bearing serial number are true copies of all the entries in the Marriage Certificate Book kept by me for the three months ending -----.

or

Certified that no entries have been made in the Marriage Certificate Book in this office during the three months ending -----.

Station -----

Date -----

Signature
Marriage Officer.

By order,
B. D. SHARMA,
Assistant Secretary(Judicial).

Public Works Department

NOTIFICATION

Simla-4, the 25th February, 1956

No. PW-59-33/55-6463-68.—Shri William F. Desouza, Sub-Divisional Officer, took over charge of the Electrical Sub-Division, Mahasu, Simla, on 27th December, 1955, forenoon.

G. R. NANGEA,
Secretary.

Planning and Development Department

NOTIFICATION

Simla-5, the 24th February, 1956

No. D-108-282/55.—In supersession of this Government Notification of even number dated 1-11-55 and 9-11-55. Shri Hem Chand, Senior Subordinate Judge, Mahasu District, on transfer from the Judicial Department is appointed to officiate as Community Project Officer (Industries) on temporary establishment with his Headquarters in the Pilot area at Mandi in the scale of Rs. 250-25-300-30-600/40-80-50-850 from the forenoon of 12th September, 1955.

2. He will be entitled to the same rate of pay which he was drawing in the Judicial Department.

3. He is permitted to take over charge of the post at Simla (the State Headquarters, Community Project) instead of Mandi.

By order,
A. B. MALIK, I. A. S.,
Additional Secretary.

Vidhan Sabha

NOTIFICATION

Simla-4, the 29th February, 1956

No. VS-43/56.—As required under Rule 7 (1) of the Rules of Procedure of Himachal Pradesh Legislative Assembly, the Hon'ble Speaker, Himachal Pradesh Vidhan Sabha, has nominated the following members to form the Panel of Chairmen for the Budget Session 1956 :—

1. Shri Daulat Ram
2. Shri Kashmir Singh
3. Shri Shiva Nand Ramaul
4. Shri Kanshi Ram.

B. D. SHARMA,
Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिमृचनाएं इत्यादि

Planning & Development Department

NOTIFICATION

Kunihar, the 18th February, 1956

No. E-1-47/53-325.—Ex-post facto sanction is hereby accorded to the grant of 5 days earned leave to ex-Doctor R. I. L. Gupta, Kunihar

Block, Community Project Kunihar on leave from 8th August, 1955 to 12th August, 1955 with permission to prefix 7th August, 1955 being Sunday.

PRITAM SINGH,
Assistant Project Officer,
Kunihar Block, Kunihar.

भाग 3—अधिनियम, विधेयक, और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनैन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

विधान सभा विभाग

अधिसूचना

दिनांक, शिमला-4, 29 फरवरी, 1956

सं० वी० एस्० 49/56.—हिमाचल प्रदेश विधान सभा के प्रक्रिया नियमों के नियम 102 के अधीन निम्नलिखित विधेयक जैसा कि हिमाचल प्रदेश विधान सभा में 29 फरवरी, 1956 को पुरः स्थापित हुआ, एतद्द्वारा सर्वसामान्य की सूचनार्थ प्रकाशित किया जाता है।

विधेयक सं० 28, 1956

दी सिविल प्रोसीजर कोड (हिमाचल प्रदेश संशोधन) विधेयक, 1956

(जैसा कि विधान सभा में पुरः स्थापित हुआ)

कोड आफ सिविल प्रोसीजर (एक्ट V, 1908) की हिमाचल प्रदेश में प्रयुक्ति के लिए उस में संशोधन करने का

विधेयक

यह भारत गणराज्य के सातवें वर्ष में हिमाचल प्रदेश को विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित किया जाए :

1. संक्षिप्त नाम, प्रसार तथा प्रारम्भ.—(1) इस अधिनियम का नाम दी सिविल प्रोसीजर कोड (हिमाचल प्रदेश संशोधन) अधिनियम, 1956 होगा।

(2) इसका प्रसार समस्त हिमाचल प्रदेश में होगा।

(3) यह तुरन्त प्रचलित होगा।

2. कोड आफ सिविल प्रोसीजर (एक्ट V, 1908) की धारा 60 में संशोधन.—कोड आफ सिविल प्रोसीजर (एक्ट V, 1908) की धारा 60 की उपधारा (1) के परादिक में—

(अ) खण्ड (c) के अन्त में निम्नलिखित शब्द बढ़ा दिए जाएं, अर्थात् :

“or compensation paid for such houses and buildings (including compensation for the materials and the sites and the land referred to above) acquired for a public purpose;” और

(आ) खण्ड (c) के पश्चात् निम्नलिखित रखा जाये अर्थात् :

“(cc) compensation paid for agricultural lands belonging to agriculturists and acquired for a public purpose;”

उद्देश्यों तथा कारणों का विवरण

इस संशोधन विधेयक द्वारा कृषकों को उन मकानों, भवनों तथा उस भूमि के लिए प्रदत्त प्रतिधन को कुर्की से मुक्त रखना वांछित है जो किसी सार्वजनिक प्रयोजन के लिए अर्जित की गई हों ; ताकि वे नीच निर्वाह के साधनों से वंचित न हो जाएं।

मरावन्त सिंह परमार,

वंशीधर शर्मा,
सचिव।

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड ग्रोर टाउन एरिया तथा पंचायत विभाग

Local Self Government

CORRIGENDUM

Simla-4, the 23rd February, 1956

No. LR.-62-46/53.—In Himachal Pradesh Government Notification No. LR.-62-46/53, dated the 29th January, 1955, please read "26-5-1955" in place of "26 5-53" and "Additional District Magistrate" in place of "Magistrate 1st Class".

By order,
H. R. MAHAJAN,
Assistant Secretary.

Municipal Committee, Solan

NOTICE

WHEREAS by Resolution No. 7 of Special meeting No. 17 of Solan Municipality held on 5th February, 1956, the Committee resolved to have a Metered Water Supply in the Town and for this purpose Committee has decided that in cases in which meters owned by the Committee are installed within the premises, the owner of the premises or his authorised agent or the registered consumer shall deposit with the Committee, a sum of Rs. 35 on account of security for its safety. All such meters will be maintained and repaired by the Committee at the following charges, which also includes

the rent :—

Size of Meter
2"

Rs. 16 or Rs. 4 per quarter on account of Rent and Maintenance charges for 12 months or any portion thereof.

In case the Meter is provided by the owner, he shall not be required to pay any rent for the same but will be chargeable and pay for the actual cost of its maintenance by the Committee.

It has also been decided that if the payment of Water Charges bill is made within ten days of its presentation, a discount of anna 1 per thousand Gallons will be allowed and in the case of Water & Sanitation Taxes a rebate of 6½% will be given provided the payment is made by the 31st August each year i. e. during the current year of Taxation.

It is hereby notified for general information that all persons affected by or interested in are invited to forward their objections or suggestions to the undersigned by 25th March, 1956, the latest so that the above proposals be finally considered by the Committee.

S. D. MOUDGILL,
Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

ADVERTISEMENT

Applications are invited for a regular temporary post of a Senior Clerk in the Community Development Block, Pachhad, in the scale of Rs. 80-5-110/5 150 plus other allowances admissible under rules.

2. Applicants should at least be F. A. with three years experience in office routine, and not more than 25 years of age on 1-3-56. Candidates having knowledge of accounts work shall be given preference.

3. Applications with attested copies of the testimonials should reach the under-signed by the 5th of March, 1956. Candidate shall have to appear for interview before a selection board, at Nahan (Sirmur District) at their own expense.

BLOCK DEVELOPMENT OFFICER,
Pachhad, District Sirmur (H. P.)

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

Home, Gazette and Transport Department

NOTIFICATIONS

Simla-4, the 24th February, 1956

No. HGT-21-2/55.—An order No. 14/2/56-FD: App/69, dated the 27th January, 1956, issued by the Government of India, Ministry of Information and Broadcasting, published in the Gazette of India, Part II, Section 3, is hereby republished for information of general public.

B. D. SHARMA,
for Assistant Secretary (Home).

Government of India

Ministry of Information and Broadcasting

ORDER

New Delhi-2, the 27th January, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India, in the Ministry of Information and Broadcasting, No. S. R. O. 945, dated the 28th April, 1955, the Central Government, with

previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the Schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said Schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5

1	Indian News Review No. 380	Govt. of India, Films Division, Bombay	Govt. of India, Films Division, Bombay	Film dealing with news and current events
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(14/2/56-FD). App 69)

D KRISHNA AYYAR,
Under Secretary.

Simla-4, the 25th February, 1956

No. HGT-21-2/55.—The following orders issued by the Government of India, Ministry of Information and Broadcasting and published in the Gazette of India, Part II, section 3, are hereby republished for information of General public:—

1. Order No. 14/2/56-FD : App/68, dated the 19th January, 1956.
2. Order No. 14/2/56-FD : App/70, dated the 6th February, 1956.

B. D. SHARMA,
Assistant Secretary.

Government of India
Ministry of Information & Broadcasting

ORDERS

New Delhi-2, the 19th January, 1956

S.R.O. —In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting, No. S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies the films specified in column 2 of the schedule hereto annexed, in all their language versions, to be of the description specified against each in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 379	Govt. of India, Films Division, Bombay	Govt. of India, Films Division, Bombay	Film dealing with news and current events
2	Stars Man Has Made	do	do	Documentary film

(14/2/56-FD. App/68)

New Delhi-2, the 6th February, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945 dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies films specified in column 2 of the schedule hereto annexed, in all their language versions, to be of the description specified against each in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the Film	Name of the Producer	Source of Supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 381	Government of India, Film Division, Bombay	Government of India, Film Division, Bombay	Film dealing with news and current events
2	Village and Women	do	do	Documentary film
3	Kheda Operation	do	do	Documentary film
4	Spring in Kashmir	do	do	Documentary film

(14/2/56-FD: App/70)

D. KRISHNA AYYAR,
Under Secretary.

Law Department

NOTIFICATION

Simla-4, the 14th February, 1956

No. LR-1-80/55.—The Representation of the People (Amendment) Ordinance, 1955 (No. 7 of 1955) recently promulgated by the President of India, and already published in the Gazette of India Extra-ordinary, Part II, Section 1, dated the 30th December, 1955 is hereby republished in the State Gazette.

B.D. SHARMA,
Assistant Secretary (Judicial).

THE REPRESENTATION OF THE PEOPLE
(AMENDMENT) ORDINANCE, 1955

No. 7 OF 1955

Promulgated by the President in the Sixth Year of the Republic of India.

An Ordinance further to amend the Representation of the People Act, 1950, and to make certain consequential amendments in the Government of Part C States Act, 1951.

WHEREAS a Bill further to amend the Representation of the People Act, 1950, and to make certain consequential amendments in the Government of Part C States Act, 1951 is pending in the House of the People after having been reported by a Select Committee to which it was referred after its introduction in that House;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to some of the amendments proposed in the Bill as so reported;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. Short title and commencement.—(1) This Ordinance may be called the Representation of the People (Amendment) Ordinance, 1955.

(2) It shall come into force on the 1st day of January, 1956.

2. Act XLIII of 1950 and Act XLIX of 1951 to be temporarily amended.—During the period of operation of this Ordinance, the Representation of the People Act, 1950 shall have effect subject to the amendments specified in sections 3 to 14 and the Government of Part C States Act, 1951 shall have effect subject to the amendments specified in section 15.

3. Amendment of Section 2.—In section 2 of the Representation of the People Act, 1950 (XLIII of 1950) (hereafter in this Ordinance referred to as the principal Act), in sub-section (1),—

(a) in clause (b), for the words and figure “by order made under section 9”, the words “by law” shall be substituted; and

(b) in clause (f), for the words and figure “by section 6 or by order made thereunder”, the words “by law” shall be substituted.

4. Omission of sections 5 and 8.—Sections 5 and 8 of the principal Act shall be omitted.

5. Insertion of new Part II-A.—After Part II of the principal Act, the following Part shall be inserted, namely:—

“Part II-A

ELECTORAL ROLLS FOR PARLIAMENTARY
CONSTITUENCIES

13A. Electoral rolls for parliamentary constituencies.—The electoral rolls for every parliamentary constituency shall consist of the electoral rolls of so much of the assembly constituencies or, as the case may be, council of states constituencies as are comprised within that parliamentary constituency; and it shall not be necessary to prepare separately the electoral roll for any parliamentary constituency”.

6. Substitution of new heading for the heading of Part III.—In Part III of the principal Act, for the heading, the following heading shall be substituted, namely:—

“ELECTORAL ROLLS FOR ASSEMBLY AND
COUNCIL OF STATES CONSTITUENCIES”

7. Substitution of new section for section 14.—For section 14 of the principal Act, the following section shall be substituted, namely:—

“14. Definition.—In this Part, unless the context otherwise requires, ‘constituency’ means an assembly constituency or a council of states constituency.”.

8. Substitution of new section for section 19.—For section 19 of the principal Act, the following section shall be substituted, namely:—

“19. Conditions of Registration.—Subject to the foregoing provisions of this Part, every person who, on the qualifying date—

(a) is not less than 21 years of age, and

(b) is ordinarily resident in a constituency,

shall be entitled to be registered in the electoral roll for that constituency.”.

9. Amendment of section 20.—In section 20 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) A member of the armed forces of the

Union shall be deemed to be ordinarily resident on any date in the constituency in which, but for his service in the armed forces, he would have been ordinarily resident on that date”.

10. Substitution of new heading for the heading of Part IV.—In part IV of the principal Act, for the heading the following heading shall be substituted, namely:—

“ELECTORAL ROLLS FOR COUNCIL CONSTITUENCIES”

11. Omission of section 26.—Section 26 of the principal Act shall be omitted.

12. Amendment of section 27.—In section 27 of the principal Act,—

(a) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) For the purpose of elections to the Legislative Council of a State in any local authorities’ constituency —

(a) the electorate shall consist of members of such local authorities exercising jurisdiction in any place or area within the limits of that constituency as are specified in relation to that State in the Fourth Schedule ;

(b) every member of each such local authority within a local authorities’ constituency shall be entitled to be registered in the electoral roll for that constituency ;

(c) the electoral registration officer for every local authorities’ constituency shall maintain in his office in the prescribed manner and form the electoral roll for that constituency corrected up-to-date ;

(d) in order to enable the electoral registration officer to maintain the electoral roll corrected up-to-date the chief executive officer of every local authority (by whatever designation such officer may be known) shall immediately inform the electoral registration officer about every change in the membership of that local authority ; and the electoral registration officer shall, on receipt of the information, strike off from the electoral roll the names of persons who have ceased to be, and include therein

the names of persons who have become members of that local authority ; and

(e) the provisions of sections 15,16,18,22 and 25 shall apply in relation to local authorities’ constituencies as they apply in relation to Assembly constituencies.” ;

(b) for sub-section (4), the following sub-sections shall be substituted, namely:—

“(4) The provisions of sections 15,16,18, 22,23 and 25 shall apply in relation to graduates’ constituencies and teachers’ constituencies as they apply in relation to assembly constituencies.” ;

(c) in sub-section (5), clause (a) shall be omitted, and clauses (b) and (c) shall be re-lettered respectively as clauses (a) and (b);

(d) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) For the purposes of sub-sections (4) and (5) the qualifying date shall be the 1st day of January of the year in which the electoral roll is prepared; and the roll so prepared shall come into force immediately upon its final publication in accordance with the rules made under this Act.”

13. Omission of section 27F.—Section 27F of the principal Act shall be omitted.

14. Amendment of the fourth Schedule.—In the Fourth Schedule to the principal Act, under the sub-heading “Madras”, in item 4, for the words “Major Panchayats”, the words and figure “Class I Panchayats” shall be substituted.

15. Consequential amendments in Act XLIX of 1951.—In the Government of Part C States Act, 1951.—

(a) in section 2, in sub-section (1), in clause (b), for the words, brackets and figures “by order made under sub-section (2) of section 4”, the words “by law” shall be substituted ;

(b) in section 4, sub-section (1) shall be omitted ; and

(c) section 6 shall be omitted.

RAJENDRA PRASAD,

President.

भाग 7—भारतीय निर्वाचन-आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं ।

शून्य

अनुपूरक

शून्य

Late Received

PART I

Home (Police) Department

NOTIFICATIONS

Simla-4, the 29th February, 1956

No. HGT-72-76/50.—In exercise of the powers conferred on him vide Government of India, Ministry of Home Affairs' letter No. F. 35 (1)-S/44, dated 29-4-1955, the Lieut.-Governor, Himachal Pradesh, is pleased to confirm Shri Inder Singh as a Superintendent of Police w.e.f. 20-2-1956 in the scale of Rs. 600-40-1000-1050-1050-1100-1100-1150.

Simla-4, the 29th February, 1956

No. HGT-77-42/56.—The Lieutenant-Governor, Himachal Pradesh, is pleased to promote Shri P. D. Joshi, Inspector of Police, as Officiating Deputy Superintendent of Police in the scale of Rs. 300-25-650/30-800 against an existing vacancy in the Police Training School, Junga, with effect from the date he takes over charge there.

A. GUPTA, I.P.,
Joint Secretary.

Medical Department

NOTIFICATION

Simla-4, the 29th February, 1956

No. M-61-9/50.—Dr. Jagdish Mitter Mohan, Officiating Medical Officer (V. D.) V. D. Sub-Clinic, Chamba, is granted 20 days' earned leave from 22nd October, 1955 (F.N.) to 10th November, 1955 (A. N.)

By order,
H. R. MAHAJAN,
Assistant Secretary.